

Suits – LA – SRBC, Nandyal Unit, Kurnool Dist. - O.P.No. 6/2000 pertaining to Vanala(V), Pamulapadu(M) - Sanction of decretal charges of Rs.9,88,494/- – Orders – Issued.

IRRIGATION&amp;CAD(PW.LA.II)DEPARTMENT

Dated: 25/08/2009.

Read :-

From the Chief Commissioner of Land Administration, Hyderabad, Lr.No. SRP4/513/2009, dt. 3/7/09.

..oo0oo..

ORDER :

The Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad in the reference read above has stated that the Spl. Dy. Collector (LA), SRBC, Nandyal had acquired the dry lands in Sy.No. 503, for an extent of Ac.0.87 of Vanala (V), Pamulapadu (M) by fixing the market value @ Rs. 55,000/- p.a. through Award No. 23/99-2000, dt. 7/10/99 for construction of Super Passage at KM. 12.486 in Reach No.1 of SRBC. Aggrieved with the Market value awarded by the LAO, the Awardees have filed applications U/s 18(1) of L.A. Act with a request to refer their applications to the Civil Court for adjudication. On making references u/s 18(1) of the LA Act to the Lower Court, the Principal Senior Civil Judge, Atmakur had delivered judgment enhancing the market value from Rs. 55,000/- to Rs. 2,00,000/- per acre in OP No. 6/2000. In this regard, an Appeal was filed in the Hon'ble High Court of Andhra Pradesh, Hyderabad by the Spl.Dy.Collector (LA) for the OP No. 6/2000 against the orders of the Lower Court. He has further stated that the High Court of A.P., has granted interim stay orders on condition to pay 50% of the Decretal amount. Accordingly an amount of Rs. 1,72,334/- sanctioned towards 50% of the decretal amount and the same has been deposited in the Senior Civil Judge Court, Atmakur on 10/8/2007. Afterwards, the Hon'ble High Court dismissed appeal filed by the State Government in AS No. 70/07 and appeal filed by the claimant allowed in AS No. 1015/07, dt. 19/12/08 and the enhanced market value from Rs. 2,00,000/- to Rs. 4,80,000/- per acre. The Spl. Collector, Srisailam Project, Kurnool has submitted the final Decretal proposals for sanction of enhanced decretal amount Rs. 9,88,494/- ((Rupees Nine lakhs eighty eight thousand four hundred and Ninety four only). in respect of LA OP No. 6/2000 pertaining to Vanala (V), Pamulapadu (M), Kurnool Dist. The Chief Commissioner of Land Administration, AP., Hyderabad has recommended for an amount of Rs. 9,88,494/- (Rupees Nine lakhs eighty eight thousand four hundred and Ninety four only).

After careful examination of the matter, Government hereby accord sanction for an amount of 9,88,494/- (Rupees Nine lakhs eighty eight thousand four hundred and Ninety four only) towards final decretal charges in respect of LA OP No. 6/2000 pertaining to Vanala (V), Pamulapadu (M), Kurnool Dist. subject to verification whether the reference under Section 18(1) of the L.A. Act is made to the lower Court after following all the guidelines / directions on the subject and in case it is detected that Sec. 18 reference was made contrary to the rules / guidelines issued by the Government / Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff

P.T.O.

...2...

concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government / Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower Court.

The Special Collector (LA), Srisailem Project, Kurnool is directed to follow the directions issued by the Hon'ble High Court on 30/04/2007 in W.P. No. 2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of OP No. 6/2000 for avoiding intervention of the middlemen.

The expenditure sanctioned in para above may be debitable to Head of Account under "2701- COL on Major and Medium Irrigation; 01 – Major Irrigation (Commercial); MH 123 – SRBC; G.H.11 – Normal State Plan; S.H.(27) C&D Works; 530 – Major Works; 532 – Lands (Charged)". In case, the available budget provision is not sufficient to meet the present requirement, the expenditure may be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

This orders issues with the concurrence of Finance (Works & Projects) Department vide their U.O.No.3110/F4/A1/09-1, dt. 10/8/09.

( BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJIV RANJAN MISHRA  
SECRETARY TO GOVERNMENT.

To  
The Chief Commissioner of Land Administration,  
Andhra Pradesh, Hyderabad.  
The Spl.Collector, Srisailem Project, Kurnool  
The ENC, I&CAD, Hyderabad.  
The SDC, LA&Reh., Srisailem Project, Nandyal  
The Director of Works Accounts, Hyderabad.  
Copy to :  
P.S. to Minister (M&MI).  
Finance (W&P) Dept./ C.No. 16912/LA.II(1)2009.  
SF/Scs.

// FORWARDED BY ORDER //

SECTION OFFICER